

REMARKS

Claims 1-10 are pending and under consideration.

Claims 1-8 and 10 are rejected under 35 USC 103(a) as being unpatentable over Ohsawa, U.S. Patent 6,633,302, in view of Senn, U.S. Patent 6,338,030. This rejection is respectfully traversed.

Claim 1 recites preparing first image data, which is formed of color components used to output an image in an output medium, and preparing second image data, which is formed of a) color components of a color space enabling a measurement by a colorimeter for at least one color including in the image, and b) data on a position or an area of the image where a color corresponding to the second image data is present. This arrangement is shown in Fig. 1, where the image file includes file data, image data (RGB data) and position data (xy data) plus color value data (xyz data). According to claim 1, the first image data, the second image data and the data on a position or an area of the image where the color corresponding to the second image data is present are all transmitted.

The Examiner has admitted that Ohsawa does not teach transmitting or sending second image data or data regarding the position of the second image data as claimed in claim 1 but asserts that Senn teaches such a feature that that it would have been obvious to modify Ohsawa in view of Senn to improve a color image measuring device by allowing external processors access to device data through data exchanges via a network without a manufacturer-specific data protocol. Applicants respectfully disagree.

The Examiner asserts that Senn teaches measuring photometric parameters using a colorimeter and converting these signals into electrical signals to transmit them in a network environment. However, this would not have lead one of ordinary skill in the art to modify Ohsawa to transmit all of the data transmitted according to claim 1. The purpose of Ohsawa is to display a color image of four or more primary colors. The purpose behind calculating the area deciding section that decides a color conversion area to which the input three-primary color signals belong is

to convert the three-color image into a four-color image. It simply would not make any sense to modify Ohsawa to transmit the various data pieces because Ohsawa is only concerned with converting a three-color image into a four-color image. If Ohsawa were to transmit the equivalent of the claimed first image data, second image data and positional data, it would then be necessary for the recipient to perform the color conversion which takes place in Ohsawa to obtain the four-color image. If Ohsawa were to transmit anything, the only information that would be desirable to transmit would be the converted color data which would allow one to display the four-color image without having to employ the color converting unit. This would not result in the claimed invention. Thus, there would have been no motivation to have modified Ohsawa in view of Senn to obtain the claimed invention.

Accordingly, Applicants request that this rejection be withdrawn.

Claim 9 is rejected under 35 USC 103(a) as being unpatentable over Ohsawa, Senn and further in view of Sato, U.S. Patent No. 6,125,199). This rejection is respectfully traversed.

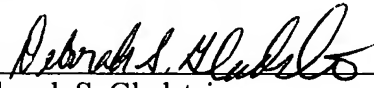
Claim 9 depends, at least indirectly, from claim 1 and is allowable for the reasons set forth above in further in view of the failure of Sato to overcome the deficiencies of Ohsawa and Senn. Accordingly, Applicants request that this rejection be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 325772027800.

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